

MAINE STATE LEGISLATURE

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**STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION**



**BILL SUMMARY
JOINT STANDING COMMITTEE
ON
LABOR

JULY 1989**

MEMBERS

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Sen. Zachary E. Matthews
Sen. R. Peter Whitmore

Rep. Edward A. McHenry *
Rep. Tony J. Tamaro
Rep. Richard P. Ruhlin
Rep. Anne M. Rand
Rep. M. Ida Luther
Rep. Elden McKeen
Rep. Edward L. Pineau
Rep. Gary W. Reed
Rep. Jeffrey H. Butland
Rep. John S. McCormick, Jr.

* Denotes Chair

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HARTLEY PALLESCHI, JR., RES. ASST

ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

**LD 855 An Act Relating to Notice of Injury for Purposes of Workers'
Compensation and Occupational Disease Claims**

VETOED

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GAUVREAU	MAJ (OTP-AM) MAJ	H-619 CARTER
MATTHEWS	ONTP MIN	S-295 MAJ REP
RUHLIN		
RAND		

SUMMARY

LD 855 proposed to create a new standard for excusing late-filed notices of injury under the Workers' Compensation Act. Under the LD, an employee's workers' compensation claim would not be barred for late notice unless the employer suffered actual prejudice from the late filing.

Committee Amendment "A" (S-295) replaced the bill and simply provided an additional exception from the 30-day filing requirement if notice was not filed due to an employee's excusable neglect. This exception is limited to 180 days from the date of the employee's injury.

House Amendment "A" to Committee Amendment "A" (H-619) added a fiscal note.

**LD 857 An Act Relating to Partial Disability under the Workers'
Compensation Act**

LV/WD

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
HOBBS	LV/WD	
PINEAU		
CLARK H		
MCHENRY		

SUMMARY

LD 857 proposed to repeal the 400-week limitation upon partial incapacity benefits under the Workers' Compensation Act.

LD 870 An Act Regarding Voluntary Return to Service by Teachers

ONTP

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
BAILEY	ONTP	
DUTREMBLE L		
RICHARD		
SMALL		

SUMMARY

LD 870 proposed to repeal the current hiring preference given to former public employees receiving disability retirement benefits and require public employers to rehire those employees only if the former employee was the best qualified person for the job.